

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

UNITED STATES OF AMERICA §  
§ No. 6:20-CR-97-02  
v. §  
§ JUDGES JCB/JDL  
SANDERSON ANTONIO §  
MONTILLA (02)

**FACTUAL BASIS**

Investigation by Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), Drug Enforcement Administration (DEA), the Nacogdoches Police Department, and the Gregg County Sheriff's Office disclosed the following facts that establish that I, the defendant, **Sanderson Antonio Montilla**, committed the conduct described in Count 5 of the indictment, which charges a violation of 18 U.S.C. § 924(c) (use, carrying, and possession of a firearm during and in furtherance of a drug trafficking crime). I agree that the following factual basis is true and correct:

1. On January 6, 2020, I was lawfully stopped while driving a car in Nacogdoches, which is in the Eastern District of Texas. The owner of the vehicle I was driving had reported the vehicle as stolen, which was the reason the police pulled me over. I was driving the car from Houston, Texas to Longview, Texas to deliver it to Shawn Gaitan, my co-defendant in this case. During a lawful search of the vehicle, the officer located a firearm in the console and a baggie of 1.748 grams of methamphetamine in a compartment in the dashboard area. The firearm was a Smith & Wesson 9mm handgun.

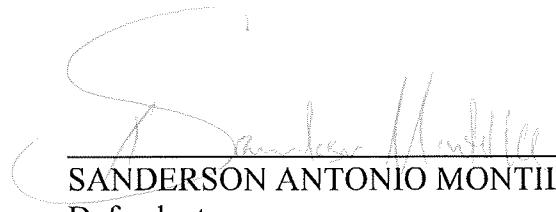
2. I agree and stipulate that I possessed the firearm to protect myself. I agree and stipulate that my concern for my safety was in part due to my drug trafficking activities, which I know to be inherently dangerous. Therefore, I agree and stipulate that my carrying of the Smith & Wesson handgun was during and relation to my drug trafficking activities.

3. I am pleading guilty to Count 5 in this case because I am guilty of the violation alleged. I have had an opportunity to consult with an attorney and I am satisfied with the advice and counsel provided to me. I acknowledge that these acts violated 18 U.S.C. § 924(c)(1)(A). I agree and stipulate that I also committed a drug trafficking crime prosecutable under federal law, namely 21 U.S.C. § 846, as charged in Count 1 of the indictment, which is the basis for my violation of Count 5, to which I am pleading guilty. I hereby stipulate that the facts described above are true and correct, and I accept them as the uncontested facts of this case.

4. I stipulate and agree to forfeit any and all interest I may have in the following property to the United States because the property constitutes contraband, instrumentalities of my offenses, or proceeds traceable to the illegal activity described in the indictment or was used or intended for use to facilitate the offense described in the indictment:

a. a money judgment in the amount of \$5,000.00, which represents proceeds obtained by me as a result of the offense alleged in the indictment and relevant conduct, for which I am personally liable.

Dated: July 27, 2021

  
SANDERSON ANTONIO MONTILLA  
Defendant

I have reviewed this Factual Basis with the defendant. Based on these discussions, I am satisfied that he understands the terms and effect of the Factual Basis and that he has signed it voluntarily.

Dated: July 27, 2021

  
JEFF HAAS  
Attorney for Defendant